Panchayati Raj institution or a voluntary organisation. Fifthly, with regard to regional variations, that has been mentioned by the hon. Member, we have issued some guidelines. Some of these guidelines are: Preference should be given to those districts, where not even a single project has been undertaken. While sanctioning a new project, it has to be kept in mind that the districts where no project has been undertaken, are given priority. Secondly, priority has to be given to areas having large wasteland areas. Thirdly, low priority be accorded to districts having two or more ongoing projects. These are the broad guidelines.

MR. CHAIRMAN: Question No. 443.

Delegations/NHRC's visit to Gujarat

*443. SHRI RAJU PARMAR:†
SHRI BHAGATRAM MANHAR:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a large number of teams/delegations and Ministers have visited the various parts of Gujarat to make on-the-spot assessment of damage during the recent riots;

(b) whether National Human Rights Commission (NHRC) have also visited the State;

(c) if so, the details thereof;

(d) what are the details of report submitted by each group; and

(e) what is the reaction of Government on the reports submitted by those groups/delegations?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO): (a) to (e)A Statement is laid on the Table of the House.

Statement

(a) to (e) A number of teams/delegations including:

(i) An all-party delegation led by Union Minister Shri Pramod Mahajan, accompanied by Smt. Sonia Gandhi, Leader of Opposition in Lok Sabha and others;

(ii) National Human Rights Commission led by its Chairman Mr. Justice J. S. Verma;

†The Question was actually asked on the floor of the House by Shri Raju Parmar.

(iii) National Commission for Minorities led by its Chairman Mr. Justice Mohammed Shamim;

(iv) Chairperson, National Commission for Women;

(v) A delegation of CPI (M) along with leaders of All India Democratic Women's Association;

and many other Central Ministers, leaders of various political parties and social activists have visited Gujarat in the wake of recent communal riots in the State.

The preliminary report of the National Human Rights Commission has been received. Most of the recommendations made by the Commission pertain to the State Government of Gujarat, which have also been addressed directly to that Government. As regards their recommendations pertaining to the Union Government, necessary action has ben initiated.

The National Commission for Minorities has *inter alia* recommended for an inquiry by a Supreme Court Judge. Since the State Government has already appointed a Commission of Inquiry headed by Mr. Justice K.G. Shah, a retired Judge of the Gujarat High Court, it is not proposed to institute a parallel inquiry by the Union Government.

The refrain of visiting teams/delegations has been that appropriate confidence building measures should be taken to instill a sense of security among the people of Gujarat and that relief and rehabilitation measures should be further strengthened.

Prime Minister visited Gujarat on 4.4.2002 and announced a package of relief and rehabilitation measures to all the riot-affected persons. Prime Minister also directed that the implementation of this package would be monitored by Cabinet Secretary on a weekly basis.

श्री राजू परमार: आदरणीय सभापति जी, गुजरात में जितने भी डेलीगेशंस थे, जैसे नेशनल ह्यूमन राइट्स कमीशन हो, नेशनल कमीशन फॉर माइनरिटी हो, नेशनल कमीशन फॉर वीमेन हो, सभी ने एक बात कही है कि आज भी गुजरात में जो दंगे हो रहे हैं उन दंगों को, उस वायलेंस को रोकने के लिए वहां की राज्य सरकार बिल्कुल नाकामयाब रही है। ज्यादातर ऐसा भी कहा गया है और हम भी ऐसा मानते हैं कि जिस तरह से गुजरात में दंगे हुए हैं उनसे ऐसा लग रहा है स्टेट स्पांसर्ड वहां पर किया जा रहा है ...(व्यवधान)... सर, यह सही है...(व्यवधान)... सर, मैं आपको बताना चाहता हूं ...(व्यवधान)...

श्री सभापति: आप क्वेश्चन कीजिए, ...You put the question ... (*Interruptions*)

श्री राजू परमार: मैं बताना चाहता हूं ...(व्यवधान)...

श्री सभापति: बताएं नहीं, आप सवाल कीजिए...(व्यवधान)...

श्री राजू परमार: हमारे आदरणीय गृह मंत्री जी एरिया का रिप्रेजेंटेशन लोक सभा में कर रहे हैं उस एरिया में जहां पर पुलिस कमिश्नर का आफिस है ...(व्यवधान)...

श्री सभापति: आप सवाल कीजिए...(व्यवधान)...

श्री राजू परमार: कल उसके बगल में भी दंगा हुआ है ...(व्यवधान)...

श्री सभापति: आप सवाल कीजिए ।

श्री राजू परमार: क्या बात कर रहे हैं...(व्यवधान)... कल वहां दगां हुआ है...(व्यवधान)...

तो मैं आपके माध्यम से यह कहना चाहता हूं कि गृह मंत्री जी जिस एरिये का रिप्रेजेंटेशन कर रहे हैं वहां दंगे कल भी हुए तो उसके बारे में आदरणीय गृह मंत्री जी क्या एक्शन लेने जा रहे हैं (व्यवधान)...

श्री सभापति: बस हो गया ... That is not the question ... (*Interruptions*)

श्री राजू परमार: आपका क्या प्लान है ...(व्यवधान)...आदरणीय गृह मंत्री जी के पास क्या एक्शन प्लान है?...(व्यवधान)...

श्री सभापति: बस हो गया।...(व्यवधान)...

श्री राजू परमार: आप क्वेशचन तो पूछने दीजिए।

श्री सभापति: आप क्वेशचन रेज़ कीजिए।...(व्यवधान)...

श्री राजू परमार: क्वेशचन ही पूछा है।...(व्यवधान)... सर, पूछने तो दीजिए।

श्री सभापति: आपका क्वेशचन तो हो गया।

श्री राजू परमार: कहां हुआ है। अभी क्वेशचन नहीं हुआ।...(व्यवधान)...

SHRI NILOTPAL BASU: Sir, whether you will allow this to happen or not, पहले आप बता दीजिए कि क्या यह चलेगा क्या? Whether you will allow this. ...(*Interruptions*)...

श्री राजू परमार: सर, क्या आप मुझे सप्लीमेंटरी नहीं पूछने देंगे?

श्री सभापति: आप सप्लीमेंटरी पूछ लीजिए।

श्री राजू परमार: मैं पूछ रहा हूं।

श्री सभापति: आपने तो भाषण शुरु कर दिया आप सिर्फ सप्लीमेंटरी कीजिए।...(व्यवधान)...

श्री राजू परमार: मैं आदरणीय होम मिनिस्टर से ...(**व्यवधान**)...

SHRI NILOTPAL BASU: Why are they getting upset? ...(*Interruptions*)...

श्री सभापति: नहीं आप बैठ जाइये।...(**व्यवधान**)...

श्री सुरेश पचौरी: ये बाकी रूलिंग पार्टी के लोग (**व्यवधान**) जवाब तो गृह मंत्री जी को देना है, परन्तु ये क्यों खड़े हैं।...(**व्यवधान**)...

श्री सभापति: अच्छा, आपने सवाल कर लिया।...(**व्यवधान**)...

श्री राजू परमार: सर, मुझे सवाल तो पूछने दीजिए।

श्री सभापति: आपने सवाल कर लिया।

श्री राजू परमार: मैं सवाल पूछ रहा हूं। सर, आज भी गुजरात में दंगें चालू हैं। मैं आदरणीय होम मिनिस्टर से यह जानना चाह रहा हूं कि इन दंगों को रोकने के लिए क्या आपके पास कोई एक्शन प्लान है?

गृह मंत्री (श्री लाल कृष्ण आडवाणी): माननीय सभापति जी, मैं समझता हूं कि यह सदन ही नहीं बल्कि सारा देश इस बात से चिंतित है कि वहां पर जो हिंसा हुई है या हो रही है उसको कैसे रोका जाए।...(**व्यवधान**)...

AN HON. MEMBER: What is this? ...(*Interruptions*)...

MR. CHAIRMAN: No interruptions please. Let the hon. Minister reply. ...*(Interruptions)*...

श्री लाल कृष्ण आडवाणी: मुझे विश्वास है कि उस सदन में भी और इस सदन में भी जब हम गुजरात की स्थिति पर विचार करेंगे, चर्चा करेंगे तो उस समय सुझाव आयेंगे कि किस प्रकार से वहां की स्थिति में शांति लायें, सांप्रदायिक सौहार्द लाया जाए, जिन लोगों को अपने परिवार के लोगों की जान गंवानी पड़ी है या जिनकी संपत्ति बर्बाद हुई है उनका रीहैबिलिटेशन कैसे हो, रिलीफ कैसे हो, इन सारे सवालों पर हम जरुर विचार करेंगे और एनएचआरसी, जिसने इस विषय पर अपनी रिपोर्ट दी है, जिसमें केन्द्र सरकार के बारे में कुछ कहा है और प्रदेश सरकार के बारे में भी बहुत कुछ कहा है, वह सब उस पर विचार करके कार्यवाही कर रहे हैं। राज्य सरकार ने विस्तृत जवाब, प्रिलिमिनरी रिपोर्ट दी है, उसकी कापी भी मेरे पास है, लेकिन उसमें महत्वपूर्ण बात यह है कि उसको कार्यान्वित किया जाए।

MR. CHAIRMAN: Let him complete.

श्री लाल कृष्ण आडवाणी: महोदय, मैं सदन को विश्वास दिलाना चाहता हूं कि गुजरात की समस्या किसी एक सरकार की नहीं है, यह केन्द्र की या प्रदेश की नहीं है, बल्कि यह हम सब की है जिसको मिल करके हम जरूर हल करेंगे और वहां पर शांति लायेंगे।

श्री राजू परमार: मुझे आदरणीय गृह मंत्री जी के जवाब से काफी ताज्जुब भी हो रहा है और दुख भी हो रहा है। अभी यह सजैशन की बात कर रहे हैं, ओपीनियन की बात कर रहे है, वहां डेढ़ लाख लोग रिलीफ कैंपों के अंदर रह रहे हैं, डेढ़ महीने के बाद मानसून शुरू हो जाएगा। एक महीने से आपको हम उन डेढ़ लाख लोगों के रीहैबिलिटेशन के लिए बोल रहे हैं कि उसके लिए आप कुछ एक्शन प्लान दीजिए, दो बार रिलीफ कमेटी की मीटिंग भी हुई है, लेकिन अभी तक उनको रीहैबिलिटेट नहीं किया गया है और न ही उसके बारे में कोई एक्शन लिया गया है। मैं आपके माध्यम से जानना चाहता हूं कि डेढ़ महीने के बाद जब गुजरात के अंदर मानसून शुरू हो जाएगा तो अभी जो लोग रिलीफ कैंपों में रह रहे हैं, उनको बसाने के लिए, उनको घरों में ले जाने के लिए क्या आप कुछ एक्शन ले रहे हैं?

श्री लाल कृष्ण आडवाणी: रिलिफ कमेटी ने जो भी सिफारिश दी हैं, उन पर कार्यवाही हो रही है और अभी-अभी माननीय सदस्य ने जो बात कही, उस को भी नोट कर के मैं वहां के राज्यपाल से, जो इस कमेटी के अध्यक्ष हैं, इस विषय में अनुरोध करूंगा। ...(व्यवधान)... सर, मैं आप को बताना चाहता हूं कि ...(व्यवधान)...

श्री राजू परमार: इतना कुछ हो रहा है, लेकिन क्या एक कागज भी आप को राज्यपाल के जरिए मिला है?...(व्यवधान)...

श्री सभापति: उन्हें जवाब देने दीजिए।

SHRI L.K. ADVANI: Sir, so far as the relief and rehabilitation work is concerned, the Prime Minister has assigned a duty to the Cabinet Sceretary of the Union Government to monitor the progress made and to report to him and to the Government every week. It is being done. (*Interruptions*)...

SHRI ARJUN SINGH: Sir, ... (*Interruptions*)...

MR. CHAIRMAN: I will allow you. The second name is that of Mr. Manhar.

SHRI ARJUN SINGH: Sir, I would like to appeal to you ...(*Interruptions*)... Sir, it is very sensitive and serious matter. The attitude of the Hon. Home Minister is casual ...(*Interruptions*)...

MR. CHAIRMAN: The second name is that of Mr. Manhar. Nothing, except what Mr. Manhar says, will go on record.

SHRI BHAGATRAM MANHAR: Sir, my supplementary pertains to the large-scale human rights violations in the State of Gujarat. The National Human Rights Commission has indicted the Gujarat Government for its failure to contain communal violence.Police have wrongly recorded FIRs implicating victims

and innocent persons, who are now languishing in jails. I would, therefor, like to ask the Home Minister to let the House know as to how many wrong FIRs have been registered against innocent persons and what action has been taken against the guilty and erring police officials for registering wrong FIRs. I would also like to know whether the Government will quash wrong FIRs immediately. If not, the reasons thereof?

Part (b) of my question is: I would like to know the quantum of monetary and human loss.

Part (c) of my question is about the suggestion made by the National Human Rights Commission that the Godhara incident be handed over to the CBI. (*Interruptions*)...

श्री एस॰ एस॰ अहलुवालिया: सर, सवाल पढ़कर पूछा जा सकता है पढ़कर सवाल पूछा जा रहा है।

MR. CHAIRMAN: No interruptions, please, Nothing, except what Mr Manhar says, will go on record.

SHRI BHAGATRAM MANHAR: Sir, I would like to know the reasons for not handing over the question of the Godhra incident to the CBI, as has been suggested by the National Human Rights Commission.

SHRI L.K.ADVANI: Sir, the National Human Rights commission is a very august body and its recommendations are treated with respect by the Government. I have seen the elaborate reply given by the State Government. Most of the recommendations relate to the State Government. They have given an elaborate response to the National Human Rights Commission's preliminary recommendations. I am sure, they will be followed up by implementation. A question was asked about the quantum of destruction of life and property. I can give him only the number of people who have been killed. According to the latest information, received up to the 24th of April, the number of deaths in police-firing is 168; the total number of deaths is 824, which means, 656 persons have died in the clashes or in the communal violence. So far as the value of the property destroyed is concerned, that is still to be claculated, but the properties burnt are: 10,280 houses, 12,472 shops and 2,658 cables. Besides this, the number of vehicles burnt is 3,002. The property and human lives lost is already indicated. So far as injuries are concerned, the number of people injured is 2,082, plus 303.

SHRI FALI S. NARIMAN: Sir, I rise in some anguish. This is not a political problem. This has nothing to do with Members on one side and Members on

the other side. it is, basically, a humanitarian problem. I wish the hon. Minister sees it as it is. In his written reply, what he has stated is that, despite the fact that the National Commission for Minorities has recommended that a Supreme Court Judge should be appointed to inquire into these incidents, since the State Government has already appointed a Commission of Inquiry headed by a retired High Court Judge, the Government does not think it necessary to do so. But surely, the recommendation of the National Commission for minorities was made subsequent to the appointment made by the Gujarat Government, for appointment of a retired Judge of the Supreme Court. I would like to ask the hon. Minister why the recommendation of the Commission has been brushed aside, just with this sentence. Otherwise, you might, as well, abolish the National Commission for Minorities if you are not willing to follow this recommendation. Will the hon. Minister kindly tell us that, if the National Human rights Commission proposes that for confidence building measures, it is essential to have a Supreme Court Judge, whether sitting or retired, he will then promptly appoint that person?

SHRI L.K. ADVANI: Mr. Chairman, I greatly respect Mr. Nariman, particularly on matters relating to justice and law, and therefore, I would be willing to seek his advice, because, to the best of my recollection, never in the history of this country has a parallel inquiry been ordered by the Central Government, headed by a Supreme Court Judge, over and above an inquiry appointed by the State Government. This happens ...*(Interruptions)*... Mr. Fali, I will submit to you; it happens that in this case, the Government which is ruling at the Centre, is ruling in the State also. Once a precedent is set, you would appreciate that this can be applied to any State and to any Government, irrespective of the political complexion of that Government. But I would be willing to seek advice from Mr. Nariman, who is an eminent jurist. If the State Government itself or an inquiry appointed by it had suggested something, maybe, there would have been an opening for me. As it is, all that I have said in the reply is on the basis of the established procedures and practices; otherwise, there is no intention. You are very right; this is not a political issue at all; this is a humanitarian issue in which we would like to see that the results are to the best advantage of the people of Gujarat and to the people in the country, who want communal and peace harmony. I would be willing to go by his advice.

SHRI NILOTPA BASU: Sir, the hon. Home Minister has mentioned about the Commissions whose delegations have been to Gujarat. As we know, in Gujarat there is no State-level Minority Commission; there is no State-level Human Rights Commission. Contrary to the assurances given to this House in

respect of some of my questions earlier, why is it that Gujarat is the only State which cannot create a Human Rights Commission or a Minorities Commission? All the reports that have come have severely criticised and castigated the State Government, in so far as handling the situation is concerned. When there were much less provocations, the pro-active Home Minister had earlier sent Central Teams and advisors, and, in justification of those actions, had invoked article 355 of the Constitution. When the totality of the situation in Gujarat, no doubt, constituted a case of internal disturbance, why did the Government of India not invoke article 355 of the Constitution to tackle the situation?

SHRI L.K. ADVANI: Sir, wherever situations arise which are of communal nature or where the peace is disturbed or where the law and order situation has become extremely grave, it is the duty of the Central Government to find out what is happening and, therefore, as he has said, sometimes, officials might have been sent. In this case, senior Ministers of the Government have gone there.

SHRI NILOTPAL BASU: Is there any report from the Governor? *(Interruptions)*... have you sought any report on the situation from the Governor? *(Interruptions)*... The standard practice is that a report is sought from the Governor. *(Interruptions)*...

MR. CHAIRMAN: Please sit down. *(Interruptions)*... Please sit down. *(Interruptions)*...

SHRI L.K. ADVANI: I am replying to his first question. (*Interruptions*)...

MR. CHAIRMAN: Please sit down. *(Interruptions)*... Please sit down. *(Interruptions)*... Only the Home Minister. Nothing else will go on record. *(Interruptions)*... Only the Home Minister; nobody else. (*Interruptions*)...

SHRI L.K. ADVANI: In the first sentence, I had indicated that it was not a question of just some officials being sent there. This Government, in the case of Gujarat, has done much more than that. Immediately, a question was asked as to whether the Government had sent a report. yes; he has also sent a report. *(Interruptions)*...

SHRI PREM CHAND GUPTA: What report has he sent? *(Interruptions)*... We don't know. *(Interruptions)*....

SHRI L.K. ADVANI: Now, a question has been asked and I have answered it. He has also sent a report. Apart from that, Gujarat is a case where the Central Government has been constantly in touch with the State. *(Interruptions)*... I am

answering his question. I say, Gujarat is a case where the Central Government is constantly in touch with the State and getting all the information needed. *(Interruptions)*...

THE MINISTER OF RURAL DEVELOPMENT (SHRI M. VENKAIAH NAIDU): They don't want any answer. *(Interruptions)*..They don't want him to answer the question. *(Interruptions)*... what is this? *(Interruptions)*....

MR. CHAIRMAN: Let him speak. *(Interruptions)*... Don't interrupt. *(Interruptions)*... Let him reply. *(Interruptions)*...

SHRI L.K. ADVANI: Mr. Chairman, Sir, there will be occasions for making allegations and counter-allegations. Let us wait for the debate. Here, some questions are being asked, and I am willing to reply to them. The question relates mainly to the NHRC. Once again, I would say that the NHRC Report, which is critical of the situation there, is being considered from all aspects. Every single recommendation of it is being given the attention that it deserves. *(Interruptions)*...

श्री सुरेश पचौरी: सभापति महोदय, यह बहुत इम्पोर्टेंट मामला है, इस पर हाफ-ऐन-आवर डिस्कशन के लिए आपसे अनुरोध है। *(Interruptions)*....

MR. CHAIRMAN: Hon. Members, there is going to be a discussion on Gujarat on 2nd May, where the details could be given. This is Question Hour only. We have hardly one minute left for the Question Hour. *(Interruptions)*...

SHRI K. RAHMAN KNAN: Sir, there should be a Half-an-Hour Discussion. *(Interruptions)*...

MR. CHAIRMAN: In the debate on Gujarat, these questions will be there *(Interruptions)*... A debate will be there. *(Interruptions)*...

SHRI K. RAHMAN KHAN. There should be a Half-an-Hour Discussion on this, Sir, *(Interruptions)*...

MR. CHAIRMAN: There will be a full-day discussion. *(Interruptions)*... There will be a full-day discussion. *(Interruptions)*.... You can have a two-day discussion. *(Interruptions)*... You give notice *(Interruptions)*... You don't let him complete. *(Interruptions)*... No, no. *(Interruptions)* . You don't let him complete, *(Interruptions)*... Question Hour is over.